

REMARKS

Claims 6-8, 23-25 and 39-41 have been cancelled. No new matter has been added.

Upon entry of this amendment, claims 1-5, 17-22 are active, and claims 1-5, 9-22 and 26-38 are present, in the application.

Applicants would like to thank Examiner Suchira for the courteous and helpful discussion regarding the restriction requirement. During this discussion, it was suggested that cancellation of claims specifying sequence identified sequences would obviate the restriction based on specific sequences. Accordingly, applicants have cancelled such claims.

The Office has restricted the application as follows:

Group I – claims 1-8 and 17-25, drawn to products; and

Group II – claims 9-16 and 26-41, drawn to processes.

Applicants elect Group I, claims 1-8 and 17-25, with traverse.

Restriction is only proper if the identified groups are independent or distinct. The burden is on the Office to provide reasons and/or examples to support its conclusion that the identified groups are independent or distinct. M.P.E.P. § 803.

The Office has characterized the specified groups has related product and process of use. Citing M.P.E.P. § 806.05(h), the office has stated that the process for using the product as claimed can be practiced with another materially different product, specifically, using classic biochemical analytical methods well known in the art that are applicable to allosteric (deoxy) ribozymes which do not require the sensors of Group I. However, **the process as claimed** requires the product of Group I, and therefore the requirements of M.P.E.P. § 806.05(h)(1) have not been met. Withdrawal of the restriction requirement is respectfully traversed.

Applicants submit that the application is in condition for examination on the merits.
Early notice of such action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul E. Rauch', is written over a horizontal line.

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